

INTRODUCED January 3, 2011
PUBLIC HEARING January 8, 2011
COUNCIL ACTION February 7, 2011
EXEC. ACTION February 11, 2011
EFFECTIVE DATE April 13, 2011

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 1

Bill No. 1 -2011

Introduced by: The Chairperson at the request of the County Executive

AN ACT for the purpose of authorizing and empowering Howard County, Maryland to borrow money in the aggregate principal amount of up to \$27,500,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of Capital Project No. C0282 (Government Services Campus), more particularly described in the County's 2011 Capital Budget, and to pay costs of issuance of such bonds; authorizing the County to issue bond anticipation notes or to enter into installment purchase agreements for payment of portions of such costs; and to levy taxes upon the assessable property within the County sufficient, together with other available funds, to pay the debt service on such obligations; and providing for and determining various matters in connection therewith.

Introduced and read first time January 3, 2011. Ordered posted and hearing scheduled.

By order Stephen M. LeGendre
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on January 18, 2011.

By order Stephen M. LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on February 7, 2011 and Passed ☒, Passed with amendments ☐, Failed ☐.

By order Stephen M. LeGendre
Stephen LeGendre, Administrator

Scaled with the County Seal and presented to the County Executive for approval this 8th day of Feb, 2011 at 1:00 a.m./p.m.

By order Stephen M. LeGendre
Stephen LeGendre, Administrator

Approved by the County Executive Feb 11, 2011.

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

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Now therefore, in accordance with the provisions of Article VI of the Charter of Howard County:

Section 2. And be it further enacted by the County Council of Howard County, Maryland,

That, pursuant to and in accordance with Article 31, Section 12 of the Annotated Code of Maryland, as amended, the County is also authorized to issue bond anticipation notes in anticipation of the issuance of the bonds authorized by this Act and described in Section 1 hereof, and all references to “bonds” or

1 “obligations” in this Act shall include such bond anticipation notes, unless the context clearly requires a
2 contrary meaning. It is intended that the aggregate principal amount of issued and outstanding bond
3 anticipation notes when added to the aggregate principal amount of issued and outstanding bonds in
4 anticipation of which such notes were issued, shall not exceed the aggregate principal amount set forth in
5 Section 1 of this Act at any time. The County will agree in each ordinance described in Section 4 of this
6 Act relating to any notes issued pursuant to this Act to pay such notes and the interest and premium, if
7 any, thereon from the proceeds of the bonds in anticipation of the sale of which such notes are issued and
8 other available funds, and the County will agree to issue such bonds when, and as soon as, the reason for
9 deferring their issuance no longer exists.

10 **Section 3. And be it further enacted by the County Council of Howard County, Maryland,**
11 That, in connection with the acquisition of real property as part of the Project, the County may incur all or
12 any portion of the indebtedness authorized by this Act for such acquisition by entering into an installment
13 purchase agreement pursuant to and in accordance with Section 4.201A of the Howard County Code
14 (“Section 4.201A”) or any successor provisions of law in lieu of issuing bonds for such acquisition. The
15 principal amount of any such installment purchase agreement shall not exceed the lesser of (a) the
16 maximum principal amount permitted by Section 4.201A or (b) the portion of the amount to be borrowed
17 for the Project (as set forth in Section 1 hereof) which relates to such acquisition. All references to
18 “bonds” or “obligations” in this Act shall include such installment purchase agreements, unless the
19 context clearly requires a contrary meaning.

20 **Section 4. And be it further enacted by the County Council of Howard County, Maryland,**
21 That the County Council of the County, by an ordinance or ordinances adopted from time to time in
22 accordance with Article VI of the Charter and other applicable provisions of law and policies of the
23 County, shall provide for (a) the issuance and sale of, (b) the maximum principal amount, designation,
24 form, tenor and denomination or denominations of, (c) the dates of the first maturity and the last maturity
25 of, and (d) the interest rate or rates per annum (or the method of determining such rate or rates) payable
26 on, any bonds or other obligations issued from time to time under this Act; and may by any such

1 ordinance, or by separate resolution, provide that the issue of bonds or other obligations hereby
2 authorized be consolidated with one or more other issues.

3 **Section 5. And be it further enacted by the County Council of Howard County, Maryland,**
4 That for the purpose of paying the principal of and interest on such bonds or other obligations as the same
5 shall become payable, the County Council of Howard County shall levy annually ad valorem taxes upon
6 the assessable property in the County sufficient, together with other available funds, to pay the principal
7 of and interest on such bonds or other obligations until all of such bonds or other obligations shall mature
8 and be redeemed.

9 **Section 6. And be it further enacted by the County Council of Howard County, Maryland,**
10 That any bonds or other obligations issued from time to time under this Act are specifically exempt from
11 the provisions of Article 31, Sections 9, 10 and 11 of the Annotated Code of Maryland, as amended, and
12 any successor provision of law.

13 **Section 7. And be it further enacted by the County Council of Howard County, Maryland,**
14 That all bonds or other obligations authorized hereby shall be issued within four years from the date this
15 Act becomes effective. Notwithstanding the foregoing, if bond anticipation notes are issued within such
16 period in accordance with Section 2 hereof, the bonds authorized hereby may be issued until the final
17 maturity date of such notes.

18 **Section 8. And be it further enacted by the County Council of Howard County, Maryland,**
19 That the County anticipates that a portion of the costs of the Project may be paid prior to the issuance of
20 the bonds or other obligations authorized hereby. The amount of such costs so paid will depend on
21 various factors, including, without limitation, the timing and speed of progress on the Project, the
22 availability of other funds to pay such costs on an interim basis, bond and money market conditions and
23 compliance with federal and State laws and regulations.

24 Accordingly, the County reasonably expects to reimburse costs of the Project (as described
25 herein) with proceeds of the bonds or other obligations authorized hereby, such bonds or other obligations
26 to be issued by the County in the maximum principal amount of \$27,500,000.

- 1 **Section 9. And be it further enacted by the County Council of Howard County, Maryland,**
2 **That this Act shall take effect sixty-one (61) days after its enactment.**

Project Description

**Amount to be
Borrowed**

C0282 FY2001 (Government Service Campus)

\$27,500,000

A project to purchase, renovate or construct additional County office space, Courthouse and related parking both at the current County campus location in Ellicott City and at additional locations (outside of the current campus) which are being explored. Some of this project is currently under design with renovations of the George Howard Building to occur in FY 2009. Project will also include reconstruction to the Carroll/Ligon Building.

TOTAL AMOUNT TO BE BORROWED:

\$ 27,500,000

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council